



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,431	01/03/2007	Gerhard Tivig	2003P00775WOUS	9506
38107 7590 11/22/2011 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P. O. Box 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER BITAR, NANCY	
			ART UNIT 2624	PAPER NUMBER
			NOTIFICATION DATE 11/22/2011	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

vera.kublanov@philips.com
debbie.henn@philips.com
marianne.fox@philips.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P. O. Box 3001
BRIARCLIFF MANOR NY 10510

In re Application of:
TIVIG, GERHARD et al
Application Serial No.: 10/595,431
Filed: April 19, 2006
For: **METHOD OF AUTOMATICALLY
DISPLAYING MEDICAL MEASUREMENT DATA**

DECISION
ON PETITION

This is a decision on the petition requesting the withdrawal of the final action, filed December 23, 2009, which is treated as a petition pursuant to 37 CFR § 1.181.

Petitioner alleges that the examiner erred in holding the Office action mailed October 28, 2009 final and requests withdrawal of finality of the Office action.

PERTINENT BACKGROUND INFORMATION

A non-final Office action was mailed on March 30, 2009 rejecting claims 2-6, 12, 14-22 and 24-26.

Applicant filed an amendment and request for reconsideration on June 29, 2009 wherein claims 5, 12, 15, 22 and 24 were amended. Claims 27 and 28 were added.

On October 28, 2009, the Examiner issued a Final Office action rejecting claims 2-6, 12, 14-22 and 24-28.

On December 23, 2009 petition requesting the examiner to withdraw the final action was filed.

On March 04, 2010, a non-final office action was mailed. The non-final office action indicated it was made in response to applicant's request for reconsideration of the final office action.

DECISION

The issue of whether or not the examiner properly made final the office action on October 28, 2009 became moot with examiner mailing a non-final office action on March 04, 2010.

For the reasons set forth above, the petition to withdraw finality is **DISMISSED AS MOOT**.

An Appeal Brief has since been filed on July 22, 2011. The application has been forwarded to the examiner for appropriate action responsive to the Appeal Brief filed July 22, 2011.

Serial No.: 10/595,431

- 2 -

Decision on Petition

Any inquiry regarding this decision should be directed to Michael Horabik, Quality Assurance Specialist, at (571) 272-3068.

/Michael Horabik/

Michael Horabik
Quality Assurance Specialist
Technology Center 2600
Communications